

IN THE MATTER OF * **BEFORE THE**
TYECHELE BEAN, PHARM TECH * **STATE BOARD OF**
Registration No.: T19295, * **PHARMACY**
Respondent * **Case No. 18-111**

* * * * *

ORDER FOR SUMMARY SUSPENSION

Pursuant to Md. Code Ann., State Gov't. II (SG) §10-226 (c) (2) (2014 Repl. Vol.), the Maryland State Board of Pharmacy (the "Board") hereby suspends the registration to practice as a Pharmacy Technician (Pharm Tech) in Maryland issued to **TYECHELE BEAN, Pharm Tech** (the "Respondent"), under the Maryland Pharmacy Act (the "Act"), Md. Code Ann., Health Occupations II (Health Occ. II) §§ 12-101 *et seq.* (2014 Repl. Vol.). This Order is based on the following investigative findings, which the Board has reason to believe are true:

INVESTIGATIVE FINDINGS¹

Based on information received by, and made known to the Board, and the investigatory information obtained by, received by and made known to and available to the Board, including the instances described below, the Board has reason to believe that the following facts are true:

¹ The allegations set forth in this notice are intended to provide the Respondent with notice of the Board's action. They are not intended as, and do not necessarily represent, a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this action.

1. At all times relevant hereto, the Respondent was registered to practice as a Pharm Tech in Maryland. The Respondent was first registered on March 3, 2017. The Respondent's registration expires on July 31, 2018.

2. At all times relevant hereto, the Respondent was employed as a Pharm Tech at a national chain pharmacy, in Prince George's County, Maryland, hereinafter "the Pharmacy."²

3. On or about November 14, 2017, the Board received an "Initial Notification of Controlled Substance Theft or Potentially Significant Loss" from the Pharmacy. The Notice advised that the Pharmacy would investigate and notify the Board of the outcome of the investigation and send a DEA-106 form if it determined that a theft occurred.

4. By Correspondence dated December 1, 2017, the Pharmacy sent the Board "form DEA-106, REPORT OF THEFT OR LOSS OF CONTROLLED SUBSTANCES," due to employee pilferage. The Controlled Dangerous Substance (CDS) was identified as Acetaminophen-COD # 4³ Tablet, and the loss was valued at \$865.00.

5. According to the report, the Respondent admitted to stealing Tylenol #4. The Pharmacy reported other losses of this medication, and the report indicated that the Pharmacy suspected that the Respondent was responsible for other thefts.

² For confidentially purposes, the names of pharmacies and all individuals referenced herein will not be identified in this document, but this information will be provided to the Respondent upon request by the Administrative Prosecutor.

³ Acetaminophen-COD #4 (Tylenol with Codeine) is a schedule III narcotic used for pain relief.

6. The Respondent admitted in writing that she was responsible for stealing Tylenol #4, and other merchandise valued at approximately \$25.00. She claimed that she took the medication to “calm down” during stressful situations. She said:

I have been through a lot. Sometimes when I’m overwhelmed I would take the medication so I could calm down and not feel so overwhelmed. I have a lot of anger & resentment & hurt that has build [sic] up over the years that has caused me to feel isolated and alone.

7. The Respondent also admitted in her statement that she was relieved that her thefts had been discovered, because she expected Pharmacy staff to eventually uncover the thefts. The Respondent was terminated for theft, and according to the report Pharmacy staff confirmed that all Pharmacy loss prevention policies and procedures would be reviewed with staff.

8. Pharmacy staff reported the thefts to Prince George’s County Police. Prince George’s County issued a summons to the Respondent on April 19, 2018, and she was charged with “THEFT: \$1,500 TO UNDER 25,000.” The Respondent’s criminal trial is scheduled for July 9, 2018, in the District Court for Prince George’s County, Maryland.

9. The Respondent signed promissory notes and agreed to reimburse the Pharmacy for the value of some of the stolen medication and merchandise.

10. The Respondent’s theft of CDS from her employer is a danger to the public health, safety, and welfare, and the summary suspension of the Respondent’s license is in the best interest of the public.

CONCLUSIONS OF LAW

Based on the foregoing, the Board finds that the public health, safety or welfare imperatively requires emergency action, pursuant to Md. Code Ann. SG II §10-226 (c) (2) (2014 Repl. Vol).

ORDER

Based on the foregoing, it is therefore this 23rd day of July, 2018, by a majority vote of a quorum of the State Board of Pharmacy, by authority granted to the Board by Md. Code Ann, SG II §10-226(c) (2) (2014 Repl. Vol.), the registration held by the Respondent to practice as a Pharm Tech in Maryland, Registration No. T19295 is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that, upon the Board's receipt of a written request from the Respondent, a Show Cause Hearing shall be scheduled within a reasonable time of the request, at which the Respondent will be given an opportunity to be heard as to whether the Summary Suspension should be continued; and be it further

ORDERED that the Respondent shall immediately return her wall certificate and wallet-sized registration to practice as a Pharm Tech to the Board; and be it further

ORDERED that this document constitutes a final Order of the Board and is, therefore, a public document for purposes of public disclosure, as required by Md. Code Ann. Gen. Prov., §§ 4-101 *et seq.* (2014 Vol.).



Deena Speights-Napata, Executive Director
Board of Pharmacy

NOTICE OF HEARING

A Show Cause hearing to determine whether the Summary Suspension shall be continued will be held before the Board at 4201 Patterson Avenue, Baltimore, 21215 following a written request by the Respondent for same.